

CITY OF PROVIDENCE

PUBLIC NOTICE

ZONING BOARD OF REVIEW

190 DYER STREET

PROVIDENCE, RHODE ISLAND 02903-3902

SEPTEMBER 11, 2007

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall on Tuesday, September 25, 2007 at 5:30 P.M. and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

5:30 P.M.

On July 10, 2007, the following members voted to continue the following matter for hearing:

KELLY, WOLF, STROTHER, EGAN & VARIN

The Board will meet as an Appellate Board concerning the following matter regarding a decision rendered by the Director of the Department of Inspection and Standards:

APPEAL FROM THE DECISION OF THE DIRECTOR OF THE

DEPARTMENT OF INSPECTION AND STANDARDS:

Appellant: Anastasia Williams

Property Owner: Anastasia Williams

Subject Property: 32 Hammond Street, also known as the Tax Assessor's Plat 32, Lot 590 (formerly lot 305) located within a Residential R-3 Three-Family Zone. The Director has determined that a bulkhead has been constructed in violation of Section 304 of the Zoning Ordinance (regulation governing rear yard setback), in violation of the Board's decision under Resolution No. 8120 dated February 2, 1998, and in violation of Permit No. 1255 dated March 26, 1998. The Appellant contends that said bulkhead was constructed in accordance with City regulations. This appeal is taken pursuant to Section 902.1 of the Zoning Ordinance.

On August 28, 2007, the following members voted to continue the following matter for further hearing:

KELLY, WOLF, STROTHER, EGAN & VARIN

WAMPANOAG INVESTMENTS, LLC, OWNER AND BOBER CONSTRUCTION GROUP, LLC, APPLICANT: 301-303 & 315 Broadway and 132 Vinton Street, Lots 777, 779 and 645 on the Tax Assessor's Plat 28 located in a R-P Residential Professional Zone, Residential R-3 Three-Family Zone and the Broadway Historic District. The applicant is requesting a special use permit pursuant to Section 701 in the proposed development of lot 777 (301-303 Broadway) as

accessory parking for the legally existing office building located on lot 645 (132 Vinton Street). The lots in question total approximately 11,833 square feet of land area.

On August 28, 2007, the following members voted to continue the following matter for hearing:

KELLY, WOLF, STROTHER, EGAN & VARIN

SWAP, INC. AND RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION: 78 & 82 Rugby Street and 2, 4 & 5 Dayton Court, Lots 879, 851, 850, 756 & 754 on the Tax Assessor's Plat 54 located in a Residential R-3 Three-Family Zone; to be relieved from Section 304 in the proposed reconfiguration of the aforementioned 5 lots into 3 new lots. One new lot would contain approximately 6,064 square feet of land area upon which a new 36' x 42' two-family dwelling would be constructed at 78 Rugby Street (corner Dayton Court), a second new lot containing 5,593 square feet of land area upon which a new 36' x 42' two-family dwelling would be constructed at 5 Dayton Court, and a third new lot would be created consisting of 2,568 square feet of land area upon which a new 26' x 24' single-family dwelling would be constructed at 4 Dayton Court. The applicant is requesting a dimensional variance from regulations governing the rear yard setback requirements for 78 Rugby Street, side yard setback for 5 Dayton Court, and the rear yard setback for 4 Dayton Court, which also requires relief from the lot area conformance requirement pursuant to Sections 105.3 and 304. The

subject lots total approximately 14,225 square feet of land area.

NEW MATTERS

7:00 P.M.

334 BROADWAY, LLC, OWNER AND THE ARMORY REVIVAL COMPANY, APPLICANT: 334 Broadway, Lots 662 and 538 on the Tax Assessor's Plat 28 located in a R-P Residential Professional Zone and the Broadway Historic District; to be relieved from Sections 205.2, 303-use code 41 and 705.3 pursuant to Section 200 in the proposed change in the use of the building from a funeral home to real estate development, finance, management and sales office. The aforementioned lots would be merged. The applicant is requesting a special use permit for the office in the R-P district, and a dimensional variance from the parking provisions, whereby 21 on-site parking spaces would be provided, however 19 spaces would be readily accessible due to several parking spaces that are designed in tandem. The existing parking area comprises the easterly side yard and new proposals in the R-P district require that parking be restricted to the rear yard only. The lots in question together contain approximately 12,171 square feet of land area.

334 BROADWAY, LLC, OWNER AND THE ARMORY REVIVAL COMPANY, APPLICANT: 340-342 Broadway, Lot 657 on the Tax Assessor's Plat 28 located in a R-P Residential Professional Zone and the Broadway Historic District; to be relieved from Sections 205.2,

303-use code 45, 607.2 and 705.6 pursuant to Section 200 in the proposed use of the existing building at 340 Broadway for professional offices on the first and second floors and one dwelling unit on the third floor. The existing café abutting this structure at 342 Broadway will remain unchanged, however a dimensional variance is sought from the sign provisions, whereby an existing sign measures 30" x 60" for the café would remain, and a new sign is proposed 48" x 30" for the proposed professional offices. Further relief is being requested from the parking provisions, whereby this proposal requires 15 parking spaces, 9 existing on-site spaces would continue to be provided. The lot in question contains approximately 7,778 square feet of land area.

JOHN H. READEY, JR., OWNER AND 02903 REALTY PARTNERS, LLC, APPLICANT: 332 Washington Street and 39, 43 & 49 Lyman Street (at Service Road No. 7), Lots 244, 245, 412, 413 & 414 on the Tax Assessor's Plat 25 located in a Commercial C-2 Zone; to be relieved from Sections 305 (maximum height), 305.1(10) (buildings at street level shall be coincident with the lot line without setback), 506.3 (new buildings in C zones overlaid by the WSOD shall be built with zero setback from the front lot line), 506.4(H) (building materials & finishes), and 420.2 in the proposed demolition of the existing structures and the construction of a new 12-story building, measuring

approximately 160 feet in height. The uses proposed within the building are 94 residential units and retail and health club space measuring 11,100 square feet of floor area and 100 parking spaces. The proposed uses are permitted within this C-2 commercial district, the applicant is requesting a dimensional variance from regulations governing the maximum height permitted, which is 45 feet, and the proposed building will be approximately 160 feet in height. The proposed 94 dwelling units, requires a minimum lot requirement of 112,800 square feet and the lots together contain approximately 20,396 square feet of land area. The proposal further seeks a 5-foot setback along Service Road and the exterior wall materials for the new structure comprise composite metal panels.

101 PLAIN, LLC (APPLICANT), KFM REALTY ASSOCIATES (OWNER of Lot 647) and 1500 MINERAL SPRING ASSOCIATES (OWNER of Lot 642): 101-105 Plain Street and 23-25 Oldham Road, Lots 647 and 642 on the Tax Assessor's Plat 23 located in a Residential R-3 Three-Family Zone and the I-1 Institutional Floating Zone District – Health Care Institutions. The applicant is seeking relief from the following Sections pursuant to Section 200 (nonconformance). Relief is being requested from Section 303-use code 15.3 (nursing home and congregate care facility), Section 303-use code 24.5 (medical or dental office) and Section 304 (height, front yard & side yard), however the height of the existing building will not change, a proposed canopy in the front yard will affect the provisions for front & side yard setbacks. Further relief is being sought from provisions

governing nonconformance of landscaping and tree preservation at Section 425.5, the sign provisions at Section 607, the parking provisions at Sections 703.2 (parking space requirements) and 705 (tandem parking relief) in the proposed interior and exterior renovation of the existing building and the proposed change in the use of the existing building from a nursing home with 200 beds and 2 doctor's offices, to a nursing home having 33 beds and/or medical or dental offices. The applicant is requesting a use variance for the continued use of the nursing facility and for the additional medical and/or dental offices. Additionally, Section 425.5 governs existing tree canopy coverage and to the extent that said section is not met entirely as to tree replacement, a dimensional variance is sought. Section 607 provides that in the R-3 zone, the total area of a wall sign cannot exceed 4 square feet, and all signs shall not exceed 6 square feet on any lot. The applicant proposes to install wall signs in the total amount of 344 square feet, together with existing directional and identification signs, also a dimensional variance. Further proposed by dimensional variance is to provide either 71 parking spaces without tandem parking or 117 spaces for tandem parking. The lots in question together contain approximately 52,960 square feet of land area.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.

THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.

LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.

**PETER D. CARNEVALE, SECRETARY
(401) 421-7740 EXT. 376**